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# Officials Say Data Passed to Soviets Slipped by Apparent Security Flaw

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LOS ANGELES, Oct. 5—An apparent security flaw allowing selected FBI agents to remove documents from their offices here without clearance helped Soviet agents acquire a secret U.S. spy manual, federal officials said today.

The officials and one U.S. congressman said they expected that the FBI would review the procedures that allowed FBI agent Richard W. Miller to remove a counter-espionage guide and give it to alleged Soviet agent Svetlana Ogorodnikova in August.

Miller, Ogorodnikova and her husband, Nikolay Ogorodnikov, are being held without bond on espionage charges.

An FBI affidavit indicates that Miller, because of his responsible position in the foreign counterintelligence division of the Los Angeles Field Office, was able to remove one file from the FBI file storage area without filling out a charge slip, the only apparent control under current procedures.

Federal officials and attorneys familiar with FBI procedures said today that administrative flaws revealed in this case and the cocaine case against millionaire auto maker John Z. DeLorean cast doubt on the future of Richard T. Bretzing, the special agent in charge of the Los Angeles FBI office.

"The question of accountability will certainly come up," said one federal official who asked not to be identified but said he knows and respects Bretzing's work.

Although declining to respond to most questions about the Miller case, Bretzing issued a statement sharply denying suggestions that he and Miller's immediate supervisor, foreign counterintelligence chief P. Bryce Christensen, may have placed too much trust in Miller because all three were members of the Church of Jesus Christ of Latter-day Saints.

Despite an assessment by several FBI officials that Miller, 47, was incompetent, with judgment so

flawed that he once sold Amway products out of the trunk of his government car, the agent was assigned to sensitive counterintelligence work in 1982.

He eventually came in contact with Ogorodnikova, 34, a Soviet emigrant who had bragged to the FBI in the past of her Soviet contacts. She and her estranged husband, Nikolay, 51, persuaded Miller to give her several documents on the promise of eventually receiving \$50,000 in gold and \$15,000 in cash and expenses, according to an FBI affidavit.

Miller and the Soviet couple are being held on charges of conspiracy to provide national defense information to a foreign government, which carries a maximum life sentence.

Miller, who has had financial problems in raising a family of eight children and running an avocado ranch, was driven before dawn from jail in San Diego today to the federal penitentiary at Terminal Island. He is being held in "special protective custody" to protect him from other prisoners, Assistant U.S. Attorney Richard Kendall said.

Rep. Don Edwards (D-Calif.), a former FBI agent, said his Judiciary subcommittee on civil and constitutional rights would question FBI officials on administrative flaws in the Miller case when the bureau's \$1.2 billion annual budget next comes before them. An official of the Senate Intelligence Committee said his staff also would seek an FBI explanation.

Howard Weitzman, the Los Angeles attorney who spent months investigating the operations of the Los Angeles FBI while preparing his defense of DeLorean, said "inadequacies" in administration were apparent in both cases. A federal court jury acquitted DeLorean after hearing accounts of federal agents toasting their success in capturing a well-known auto maker in a government-organized "sting" operation.

Weitzman also said he was bothered by what he considered an attempt by bureau officials to insist on Miller's guilt in media statements without Miller's story being heard.

Neil Welch, a former director of the FBI Field Office in New York, said the Los Angeles office "ought to be torn right down to the metal" to determine the cause of the security lapse.

According to an FBI affidavit, Miller told investigators that he gave Ogorodnikova a 24-page document, "Reporting Guidance: Foreign Intelligence Information," dated March 15, 1983, which "would give the KGB [Soviet secret police] a detailed picture of FBI and U.S. intelligence activities, techniques

and requirements." Miller said he believed that she gave the document to an official at the Soviet consulate in San Francisco.

Several U.S. officials said the FBI should have known sooner about Miller developing a relationship with the Soviet woman. A Church of Jesus Christ of Latter-day Saints spokesman confirmed today that Miller was excommunicated three or four months ago. He declined to state the reason. A Salt Lake City television station said it was because of adultery.

In response to charges that he overlooked Miller's failings because

the agent was part of a "Mormon mafia" in the Los Angeles office, Bretzing said in a statement:

"There are numerous special agents of the FBI currently on the rolls who are members of the Church of Jesus Christ of Latter-day Saints. I believe it is unfair to impune any individual based on the alleged activities of another individual with a common religious background. The suggestion that preferential treatment has been or is being given to anyone based upon his or her personal religious preference has no basis in fact."